

ASSEMBLY BILL

No. 2350

Introduced by Assembly Member Monning

February 24, 2012

An act to add Section 1348.95 to the Health and Safety Code, and to add Section 10127.19 to the Insurance Code, relating to health care coverage.

LEGISLATIVE COUNSEL'S DIGEST

AB 2350, as introduced, Monning. Health care coverage.

Existing law, the Knox-Keene Health Care Service Plan Act of 1975, provides for the regulation of health care service plans by the Department of Managed Health Care and makes a willful violation of the act a crime. Existing law provides for the regulation of health carriers by the Department of Insurance.

This bill would require every health care service plan except those providing coverage for specialized health care services, to provide the number of enrollees that receive health care coverage from the service plan as of December 31st of each year, as well as other specified information, to the Department of Managed Health Care, in a form and manner specified by the department in consultation with the Department of Insurance to ensure that the data reported is comparable and consistent.

This bill would likewise require a health insurer, except those providing coverage for specialized health care services, to provide the number of covered lives as of December 31st of each year, as well as other specified information, to the Department of Insurance in a form and manner specified by the department in consultation with the Department of Managed Health Care.

Because a willful violation of the bill's provisions relative to health care service plans would be a crime, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 1348.95 is added to the Health and Safety
2 Code, to read:

3 1348.95. Commencing March 1, 2013, and at least annually
4 thereafter, every health care service plan, not including a health
5 care service plan offering specialized health care service plan
6 contracts, shall provide to the department, in a form and manner
7 determined by the department in consultation with the Department
8 of Insurance, the number of enrollees as of December 31 of the
9 prior year, that receive health care coverage under a health care
10 service plan contract that covers individuals, small groups, groups
11 of 51-100, groups of 101 or more, or administrative services only
12 business lines. Health care service plans shall include the
13 unduplicated enrollment data in specific product lines as
14 determined by the department, including, but not limited to, HMO,
15 point-of-service, PPO, Medicare excluding Medicare supplement,
16 Medi-Cal managed care, and traditional indemnity non-PPO health
17 insurance. The department shall publicly report the data provided
18 by each health care service plan pursuant to this section, including,
19 but not limited to, posting the data on the department's Internet
20 Web site. The department shall consult with the Department of
21 Insurance to ensure that the data reported is comparable and
22 consistent.

23 SEC. 2. Section 10127.19 is added to the Insurance Code, to
24 read:

25 10127.19. Commencing March 1, 2013, and at least annually
26 thereafter, every health insurer, not including a health insurer
27 offering specialized health insurance policies, shall provide to the

1 department, in a form and manner determined by the department
2 in consultation with the Department of Managed Health Care, the
3 number of covered lives, as of December 31 of the prior year, that
4 receive health care coverage under a health insurance policy that
5 covers individuals, small groups, groups of 51-100, groups of 101
6 or more, or administrative services only business lines. Health
7 insurers shall include the unduplicated enrollment data in specific
8 product lines as determined by the department, including, but not
9 limited to HMO, point-of-service, PPO, Medicare excluding
10 Medicare supplement, Medi-Cal managed care, and traditional
11 indemnity non-PPO health insurance. The department shall publicly
12 report the data provided by each health insurer pursuant to this
13 section, including, but not limited to, posting the data on the
14 department's Internet Web site. The department shall consult with
15 the Department of Managed Health Care to ensure that the data
16 reported is comparable and consistent.

17 SEC. 3. No reimbursement is required by this act pursuant to
18 Section 6 of Article XIII B of the California Constitution because
19 the only costs that may be incurred by a local agency or school
20 district will be incurred because this act creates a new crime or
21 infraction, eliminates a crime or infraction, or changes the penalty
22 for a crime or infraction, within the meaning of Section 17556 of
23 the Government Code, or changes the definition of a crime within
24 the meaning of Section 6 of Article XIII B of the California
25 Constitution.